

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHARLES CRAWLEY,)
)
 Plaintiff,)
)
 v.) Civil Action No.:
)
 NEO4J, INC., a Delaware corporation; STEVE)
 TUREK; KRISTIN CABOT; MARC ROUALET;)
 ALYSON WELCH; CLIFF BOCKARD; KENT)
 CORSON; and ALYSSA PERREAU,)
)
 Defendants.)
)

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332(a), 1441(b), and 1446(a), Defendants, Kristin Cabot; Marc Roualet; Alyson Welch; and Alyssa Perreault (collectively “Defendants” except where individually identified) hereby submit notice of their removal of this action, captioned *Charles Crawley v. NEO4J, Inc., et al.*, and bearing civil case number 2024L005849, from the Circuit Court of Cook County, Illinois, to the United States District Court for the Northern District of Illinois, Eastern Division. Pursuant to 28 U.S.C. § 1446(a), Defendants state as follows:

BACKGROUND

1. Plaintiff, Charles Crawley (“Plaintiff”), is a former sales representative for Defendant, NEO4J, Inc. (**Exh. 1**, Compl., at ¶¶ 22-24).
2. On May 29, 2024, Plaintiff filed a complaint (“Complaint”) in the Circuit Court of Cook County, Illinois, against Defendants alleging that NEO4J, Inc., breached its contract employment contract with Plaintiff and failed to pay him \$643,471 in commissions, bonuses, and incentive payments. (**Exh. 1**, Compl., at ¶¶ 120-25).

3. NEO4J, Inc., and Cliff Bockard were each served with the Complaint on June 13, 2024, while Kent Corson was served on June 28, 2024.

4. Subject to all available defenses, including any challenges to jurisdiction based upon the arbitration provisions or challenges to personal jurisdiction, the undersigned counsel accepted service on behalf of Steve Turek, Kristin Cabot, Marc Roualet, Alyson Welch, and Alyssa Perreault on July 15, 2024.

5. Pursuant to 28 U.S.C. § 1446(a), a copy of all process and pleadings served upon Defendants and filed in state court proceeding are collectively attached hereto as **Exhibit 1**.

6. Attached as **Exhibit 2** is a copy of the docket statement from the state court proceeding which demonstrates that no other process, pleadings, orders, or other papers or exhibits that have been filed other than the documents collectively attached hereto as **Exhibit 1**.

VENUE AND SUBJECT MATTER JURISDICTION

7. Pursuant to 28 U.S.C. § 1446(a), Defendants file this notice as required “in the district court of the United States for the district and division within which [the Cook County Circuit Court] action is pending.”

8. Defendants maintain that venue is proper in the Northern District of Illinois pursuant to 28 U.S.C. §§ 1391 and 1441(a) because Plaintiff resides in Lake County, Illinois. (**Exh. 1**, Compl., at ¶1).

9. This Court has subject matter jurisdiction under 28 U.S.C. § 1332(a) because (1) there is complete diversity of citizenship between Plaintiff and Defendants; (2) the amount in controversy exceeds \$75,000, exclusive of interest and costs; and (3) all other requirements for removal have been satisfied.

DIVERSITY JURISDICTION

10. For purposes of diversity jurisdiction, a corporation is “a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principle place of business” 28 U.S.C. § 1332(c)(1).

11. Plaintiff resides in and is deemed to be a citizen of Illinois. (**Exh. 1**, Compl., at ¶1).

12. NEO4J, Inc., is a Delaware corporation with its principal place of business in California. (**Exh. 1**, Compl., at ¶2)

13. Based upon its state of incorporation and principal place of business, NEO4J, Inc., is deemed to be a citizen of Delaware and California.

14. In the Complaint, Plaintiff alleged that Steve Turek is a citizen of Illinois. (**Exh. 1**, Compl., at ¶7). This is incorrect. Steve Turek has confirmed that he resides and is a citizen of Florida. *See* Declaration attached as **Exhibit 3**. In addition to having been first served less than 30 days ago, this confirmation from Mr. Turek was the first time that the Defendants became aware of complete diversity for purposes of removal of this matter.

15. Kristin Cabot resides in and is deemed to be a citizen of Massachusetts. (**Exh. 1**, Compl., at ¶9).

16. Marc Roualet resides in and is deemed to be a citizen of Maryland. (**Exh. 1**, Compl., at ¶12).

17. Alyson Welch resides in and is deemed to be a citizen of California. (**Exh. 1**, Compl., at ¶14).

18. Cliff Bockard resides in and is deemed to be a citizen of Colorado. (**Exh. 1**, Compl., at ¶16).

19. Kent Corson resides in and is deemed to be a citizen of California. (**Exh. 1**, Compl., at ¶18).

20. Alyssa Perreault resides in and is deemed to be a citizen of Massachusetts. (**Exh. 1**, Compl., at ¶20).

21. Because Plaintiff is deemed to be a citizen of Illinois, and Defendants are all deemed to be a citizen of states other than Illinois, there exists complete diversity of citizenship amongst the parties.

22. Plaintiff alleges that he is owed \$643,471 (**Exh. 1**, Compl. at ¶¶120-25). Accordingly, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

OTHER REMOVAL REQUIREMENTS

23. While reserving all defenses, the undersigned counsel accepted service on behalf of Kristin Cabot, Marc Roualet, Alyson Welch, and Alyssa Perreault on July 15, 2024.

24. Because Plaintiff served Kristin Cabot, Marc Roualet, Alyson Welch, and Alyssa Perreault on July 15, 2024, the last day for them to file a notice of removal is August 14, 2024. 28 U.S.C. § 1446(b)(1). Accordingly, this Notice of Removal is timely filed within thirty (30) days of service with respect to each.

25. Additionally, complete diversity was not apparent from the Complaint because Plaintiff alleged that Steve Turek is a citizen of Illinois. (**Exh. 1**, Compl., at ¶7). Mr. Turek has now confirmed that he resides and is a citizen of Florida. *See* Declaration attached as **Exhibit 3**. This confirmation was the first time that the other Defendants became aware of complete diversity for purposes of removal of this matter and, as such, this Notice of Removal is timely filed within thirty (30) days of becoming removable pursuant to 28 U.S.C. § 1446(b)(3).

26. For purposes of diversity jurisdiction under 28 U.S.C. § 1332(a), and pursuant to 28 U.S.C. § 1446(b), all defendants who have been properly joined and served must consent to removal. The undersigned, as legal counsel for all named Defendants in this case, hereby confirms that all Defendants consent to this removal.

CONCLUSION

27. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332(a), and this action is one which may be removed to federal district court by Defendants pursuant to 28 U.S.C. §§ 1441(b) and 1446(a), as there is complete diversity in citizenship between Plaintiff and the Defendants and because the amount in controversy, as set forth above, exceeds \$75,000, exclusive of interest and costs.

WHEREFORE, Defendants hereby remove this action from the Circuit Court of Cook County (Illinois) to the United States District Court for the Northern District of Illinois. By filing this Notice of Removal, no party waives any defenses that may be available to it and reserves all such defenses, including all defenses to jurisdiction and venue.

Dated: July 31, 2024

Respectfully Submitted,

By: /s/ Nicholas J. Daly
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CERTIFICATE OF SERVICE

I, the undersigned counsel, state that I caused copies of the foregoing (with Exhibits 1 through 3) to be served by email to the following attorneys of record from the state court proceeding on July 31, 2024:

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Dated: July 31, 2024

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